IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.3560 OF 2004

IN

SUIT NO.70 OF 1999

Mrs.Godwin Lewis ... Plaintiff.

vs.

1.Robert John Quadros & others. .... Defendants.

Mr.J.M.D'Silva, for Plaintiff.

A.T.Morques, for defendatns.

CORAM: D.K.DESHMUKH,J.

DATED: 1st December, 2005

P.C.:-

1. This is a notice of motion taken out by the plaintiff for decree on admission against defendant no.1. According to the plaintiff, the defendant no.1 has admitted his claim. Perusal of the plaint shows that the decree that plaintiff claims against defendant no.1 is a decree of possession of a flat no.A/3. The learned Counsel appearing for the plaintiff has taken me through the written statement

filed by defendant no.1. From the written statement, I do not find anywhere that defendant no.1 has admitted the title of the plaintiff in relation to flat no.A/3 or that the defendant no.1 has admitted his liability to hand over the possession of that flat to the plaintiff. Therefore, in my opinion, the plaintiff is not entitled to a decree of admission. The notice of motion is disposed of.